

REMARKS

Summary

Claims 1-14 were pending, and all of the claims were rejected in the present Office action. Claim 1 has been amended to correct a grammatical error. No new matter has been added. The Applicant respectfully traverses the rejections on the basis that a *prima facie* case of obviousness has not been made out.

Claim Rejections

35 U.S.C. §103(a)

Claims 1, 2, 4, 5, 7-11 and 13-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adachi et al. (US 2004/0100598; "Adachi") in view of Yamayoto et al. (US 5,341,231; "Yamamoto") . Claims 3, 6, 9, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Adachi in view of Yamamoto, and further in view of Gotoh et al. (US 2002/015256) .

Claim 1 has been amended, however the Applicant respectfully submits that the amendment is grammatical and not substantive in nature. The Applicant respectfully submits that any motivation to combine and modify the teachings of the references that the Examiner may find arises solely from the arrangement disclosed by the Applicant's specification and that the Examiner has not made out a *prima facie* case of obviousness with respect to independent Claim 1. Further, the Examiner has recited the tests set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 86 S.Ct. 684, 693, 15 L.Ed.2d 545, 148 U.S.P.Q. 459, 467 (1966), as being required factual determinations in a rejection under 35 U.S.C. § 103(a). However, the Examiner has not addressed the third of these tests: resolving the level of ordinary skill in the pertinent art. Thus, the rejection is deficient in at least this respect and should be withdrawn.

Adachi is directed to a LCD display having a transmissive type display illuminated from the rear by a light guide panel (*vide*, Fig.8). In contrast, Yamamoto is directed to a LCD display having a reflective type display illuminated from the front

by a light guide panel (*vide*, Fig. 6). As such, the object of the arrangement taught by Yamamoto is to cause substantially all of the light to be first emitted from the light guide panel through a surface perpendicular to the light input plane and opposing the surface on which a lower refractive index material is deposited. The arrangement of Adachi depends on substantially all of the light being first emitted through the surface perpendicular to the light incidence plane facing the rear of the transmissive type display, which is the surface on which the lower refractive index material is disposed, in order to meet the Examiner's proposed combination of the elements of the references.

The Examiner accepts that Adachi does not teach a "low refractive index layer disposed on the light guide having a second refractive index that is lower than the first refractive index." The Examiner finds such a layer in Yamamoto and asserts that it would have been obvious to one of ordinary skill in the art to have added such a layer to the light guide taught by Adachi on the surface facing the display. However, function of the light guide in the two references is different. In Yamamoto, the light is emitted first through the surface having the lower refractive index layer deposited thereon, while in Adachi, the light is first emitted through the surface not having the lower refractive index layer deposited thereon.

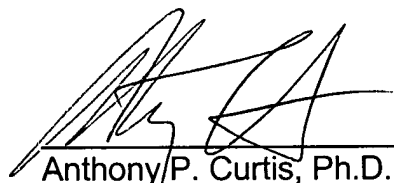
Since the principle of operation as well as the use of the two light guides differs, the Applicant respectfully submits that the combination asserted by the Examiner has been made in hindsight using the teachings of the present application.

For at least the reasons presented above, the Applicant respectfully submits that a *prima facie* case of obviousness has not been set forth, and that Claim 1 is allowable. Claims 2-14, being claims dependent on an allowable base claim, are allowable, without more.

Conclusion

Claims 1-14 are pending. For at least the reasons given above, the Applicants respectfully submit that the pending claims are allowable, and that the application is in condition for allowance. The Examiner is respectfully requested to contact the undersigned in the event that a telephone interview would expedite consideration of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'AP Curtis', is written over a horizontal line.

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